

Mar 18, 2019

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARILYNN C. MALAKOWSKY,

Defendant.

No. 2:18-PO-0050-JTR

ORDER GRANTING MOTION TO
DISMISS WITH PREJUDICE

BEFORE THE COURT is the Defendant's Motion to Dismiss with Prejudice. ECF No. 17. Defendant is represented by Erik Birnel, Legal Intern, and federal defender J. Stephen Roberts. The United States is represented by Karley Whisman, Legal Intern, and David M. Herzog, a supervising United States Attorney.

Defendant moves to dismiss the case, with prejudice, based on Defendant's compliance with the requirements of her September 18, 2018, Pretrial Diversion Agreement. *See* ECF No. 16.

Because Defendant has complied with all requirements imposed under the pretrial diversion agreement in this matter, **IT IS ORDERED:**

1. Defendant's Motion to Dismiss, **ECF No. 17**, is **GRANTED**.

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1 2. The pending citation for Damaging any Natural Feature or Other
2 Property of the United States, in violation of 36 C.F.R. § 261.9(a) – Violation No.
3 FBBL002G, is **DISMISSED WITH PREJUDICE**.

4 **IT IS SO ORDERED.**

5 DATED March 18, 2019.

A handwritten signature in black ink, consisting of a stylized 'M' followed by a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE